

be released under bond to be relabeled and that the adulterated portion be destroyed, under the supervision of the Food and Drug Administration.

16436. Adulteration of frozen breaded shrimp. U. S. v. 99 Cartons, etc.
(F. D. C. No. 29292. Sample Nos. 47558-K, 47559-K.)

LIBEL FILED: June 28, 1950, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 8 and 9, 1950, by the Consolidated Processing Corp., from Miami, Fla.

PRODUCT: Frozen breaded shrimp. 99 cartons, each containing 10 3-pound packages, and 208 cartons, each containing 36 10-ounce packages, at Pittsburgh, Pa.

LABEL, IN PART: "Gold-N-Maid * * * Shrimp."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed shrimp.

DISPOSITION: August 4, 1950. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES*

CANNED FRUIT

16437. Misbranding of canned cherries. U. S. v. 62 Cases * * *. (F. D. C. No. 28842. Sample No. 75420-K.)

LIBEL FILED: February 13, 1950, District of Colorado.

ALLEGED SHIPMENT: On or about July 14, 1949, by Intermountain Food Co., Inc., from Provo, Utah.

PRODUCT: 62 cases, each containing 24 1-pound, 14-ounce cans, of cherries at Denver, Colo.

LABEL, IN PART: "Mellhorn Quality Unpitted Dark Sweet Cherries in Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (h) (2), the article fell below the standard of fill of container for canned cherries since there was not present in the container the maximum quantity of the optional cherry ingredient which could be sealed in the container and processed by heat to prevent spoilage, without crushing such ingredient, and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: July 28, 1950. The Intermountain Food Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that all cases of the article identified as Code 501 be released under bond for relabeling, under the supervision of the Federal Security Agency, and that the other cases of the article be released without bond to the claimant.

16438. Misbranding of canned peaches. U. S. v. 224 Cases * * *. (F. D. C. No. 29086. Sample No. 34909-K.)

LIBEL FILED: May 2, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about April 11, 1950, by the Planada Packers, Planada, Calif.

*See also No. 16403.